

# **EXHIBIT 1**

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND )  
COMPOUNDING PHARMACY, INC. )  
PRODUCTS LIABILITY LITIGATION )  
 ) MDL No. 13-md-2419-RWZ  
v. )  
 )  
This Document Relates to: )  
 )  
All Cases )  
\_\_\_\_\_ )

**[PROPOSED] ORDER REGARDING TIME IN WHICH LIBERTY INDUSTRIES, INC.  
MUST RESPOND TO MASTER COMPLAINT AND ANY OTHER COMPLAINT  
FILED IN THE MDL**

WHEREAS Defendant Liberty Industries, Inc. (“Liberty”) is a defendant not affiliated with New England Pharmacy, Inc. d/b/a New England Compounding Center (“NECC”) (an “Unaffiliated Defendant”) and is participating in the Mediation Program, but is also named in the Master Complaint, several Short Form Complaints, and other Complaints filed in this MDL, Liberty need not respond to any complaint until such time as it or the PSC withdraws from the Mediation Program involving Liberty, that was established by this Court per the Order on Mediation Program, entered August 15, 2013 at Dkt No. 394. In the event of either party’s withdrawal from the Mediation Program, within thirty (30) days, Liberty shall respond to any Complaints with which it has been served.

**So ordered.**

Date: \_\_\_\_\_

, J.